

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

SPINE SURGERY ASSOCIATES &  
DISCOVERY IMAGING, PC on assignment of  
ANTHONY P.,

Plaintiff,

v.

INDECS CORP.-CONSTANT SERVICES INC.,  
ABC BENEFIT PLANS 1-10; and JOHN/JANE  
DOES INC./LLC 1-10,

Defendants.

Civ. No. 13-1390 (KSH) (CLW)

**ORDER**

Upon consideration of the motion (D.E. 3) of defendant INDECS Corp. to dismiss the complaint filed by plaintiff Spine Surgery Associates & Discovery Imaging, PC, and plaintiff's cross-motion to amend its complaint (D.E. 10); and for the reasons expressed in the Court's opinion filed herewith,

**IT IS**, on this 30th day of December, 2013,

**ORDERED** that defendant's motion to dismiss is **DENIED**; and it is further

**ORDERED** that plaintiff's cross-motion to amend its complaint is **GRANTED**, and plaintiff is granted leave to file an amended complaint within 30 DAYS of the entry of this order.

/s/ Katharine S. Hayden  
Katharine S. Hayden, U.S.D.J.